

HB 267

2005  
CS

## CHAMBER ACTION

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1    The Insurance Committee recommends the following:

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3        **Council/Committee Substitute**

4        Remove the entire bill and insert:

5                    A bill to be entitled

6        An act relating to fire hydrants; amending s. 633.065,  
7        F.S.; authorizing all public and private fire hydrants to  
8        be tested in accordance with national standards; providing  
9        timeframes for repairing or replacing defective fire  
10       hydrants and providing for maintenance records; requiring  
11       that faulty inspections be reported immediately to the  
12       local authorities having jurisdiction; providing for  
13       misdemeanor penalties for noncompliance; amending s.  
14       633.171, F.S.; providing that it shall constitute a  
15       misdemeanor of the first degree to intentionally or  
16       willfully fail to properly service, recharge, repair,  
17       hydrotest, test, or inspect a fire hydrant; providing an  
18       effective date.

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20    Be It Enacted by the Legislature of the State of Florida:

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22       Section 1. Subsection (3) is added to section 633.065,  
23 Florida Statutes, to read:

24       633.065 Requirements for installation, inspection, and  
25 maintenance of fire suppression equipment.--

26       (3)(a) Each municipality, county, and special district  
27 with fire safety responsibilities may require that all fire  
28 hydrants, public and private, be tested annually to ensure  
29 proper function. The testing shall be in accordance with the  
30 National Fire Protection Association Standard 25, Standard for  
31 the Inspection, Testing and Maintenance of Water-based Fire  
32 Protection Systems, the edition most recently adopted in the  
33 Florida Fire Prevention Code. Consistent with the provisions of  
34 s. 633.025(1), the requirements of this subsection shall be  
35 deemed adopted by each municipality, county, and special  
36 district with fire safety responsibilities. Nothing in this  
37 subsection shall be construed to make any municipality, county,  
38 or special district responsible for performing the required  
39 testing, inspection, or maintenance of any fire hydrant except  
40 those fire hydrants actually owned by the municipality, county,  
41 or special district.

42       (b) The owner of a private fire hydrant shall cause any  
43 repair or replacement indicated by an annual inspection to be  
44 made within 30 days and shall maintain records of the repair or  
45 replacement.

46       (c) Inspection results that determine that a private fire  
47 hydrant is nonfunctioning shall be reported immediately to the  
48 local authorities having jurisdiction.

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49        (d) Penalties for noncompliance shall be in accordance  
50 with s. 633.171.

51        Section 2. Paragraph (c) of subsection (2) of section  
52 633.171, Florida Statutes, is amended to read:

53        633.171 Penalty for violation of law, rule, or order to  
54 cease and desist or for failure to comply with corrective  
55 order.--

56        (2) It shall constitute a misdemeanor of the first degree,  
57 punishable as provided in s. 775.082 or s. 775.083, to  
58 intentionally or willfully:

59        (c) Improperly service, recharge, repair, hydrotest, test,  
60 or inspect a fire extinguisher, ~~or~~ preengineered system, or fire  
61 hydrant.

62        Section 3. This act shall take effect July 1, 2005.